

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office DEC 14 1990

Returned to applicant for correction _____

Corrected application filed _____

Map filed DEC 10 1981 under 44211

The applicant Dawley Creek Ranch c/o Cliff Gardner

_____, of Ruby Valley,
Street and No. or P.O. Box No. City or Town

Nevada 89833, hereby make S application for permission to appropriate the public
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.) _____

February 2, 1976; State of Nevada.

1. The source of the proposed appropriation is underground (Scoville Well)
Name of stream, lake, spring, underground or other source

2. The amount of water applied for is 0.311 second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet _____

3. The water to be used for stockwater
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated _____

(b) Stockwater, state number and kinds of animals to be watered 500 cattle

(c) Other use (describe fully under "No. 12. Remarks") _____

(d) Power:

(1) Horsepower developed _____

(2) Point of return of water to stream _____

5. The water is to be diverted from its source at the following point NE¼ NW¼ Section 14, T.29N., R.58E.,
M.D.B.&M. (unsurveyed W½ of the Franklin Lake) Describe as being within a 40-acre subdivision of public
or at a point from which the NW corner of Section 2, T.29N., R.58E., M.D.B.&M.
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.
bears N. 7° 11' 48" W., for 11,819.53 feet.

6. Place of use NE¼ NW¼ Section 14, T.29N., R.58E., M.D.B.&M. (unsurveyed W½ of
Describe by legal subdivision. If on unsurveyed land, it should be so stated.
the Franklin Lake).

7. Use will begin about Jan. 1 and end about Dec. 31, of each year.
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) drilled well, pump & motor, pipeline and
State manner in which water is to be diverted, i.e. diversion structure, ditches and
watering troughs.
flumes, drilled well with pump and motor, etc.

9. Estimated cost of works \$5,000

10. Estimated time required to construct works works are complete. 42' deep well, 42' of 6" steel casing, 5 H.P. Straton & Briggs engine and 4 watering troughs, each 12' long x 13" deep x 28" wide.
11. Estimated time required to complete the application of water to beneficial use water can be used beneficially now.
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.
- Discharge of water from well was measured at discharge pipe by Charles C. Armuth, Jr., Surveyor #425, on 9-24-90 to be 0.311 C.F.S. (140 G.P.M.). Pump used was Homelite centrifugal rated @ 160 G.P.M. NOTE: The map filed under Application No. 44211 will support this application.

By s/Cliff Gardner
Cliff Gardner
Ruby Valley, NV. 89833

Compared bc/bc cl/bk

Protested _____

APPROVAL
OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the period of use and the average number of livestock served from the waters of this source. It is further understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to any other ground water development in the area. The well shall be equipped with a 2-inch opening for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times but does not take responsibility for the use of the Federal range.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0156 cubic feet per second, or sufficient to water 500 head of cattle.

Work must be prosecuted with reasonable diligence and be completed on or before July 5, 1997

Proof of completion of work shall be filed on or before August 5, 1997

Application of water to beneficial use shall be made on or before July 5, 1999

Proof of the application of water to beneficial use shall be filed on or before August 5, 1999

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
 State Engineer of Nevada, have hereunto set my hand and the seal of my
 office, this 5th day of July,
 A.D. 19 96
R. Michael Turnipseed
 State Engineer